

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 05-____-KPN
)
WAYNE RICHARD LEDBETTER,)
 Defendant.)

Motion for Detention Hearing

The United States moves for pretrial detention of defendant,
pursuant to 18 U.S.C. § 3142(e) and (F).

1. Eligibility of Case. This case is eligible for a
detention order because it involves (check all that apply):

- _____ Crime of violence (18 U.S.C. § 3156)
_____ Maximum sentence of life imprisonment or death
_____ 10 plus years drug offense
_____ Felony, with two prior convictions in above
categories
___X___ Serious risk defendant will flee
_____ Serious risk of obstruction of justice

2. Reason for Detention. The Court should detain defendant
because there are no conditions of release which reasonably will
assure (check on or both):

- ___X___ Defendant's appearance as required
___X___ Safety of any other person and the community

3. Rebuttable Presumption

The United State (~~will~~, will not) invoke the rebuttable
presumption against defendant pursuant to 18 U.S.C. § 3142(e).
If "yes," the presumption applies because (check one or both):

_____ Probable cause to believe defendant committed 10 plus year drug offense or firearms offense, 18 U.S.C. § 924(c)

_____ Previous conviction for "eligible" offense committed while on pretrial bond

4. Time for Detention Hearing. The United States requests that the Court conduct the detention hearing,

_____ At first appearance

X After continuance of 1 day (not more than 3)

5. Witnesses. The United States intends to call the following witnesses:

Proffer of Assistant U.S. Attorney.

The amount of time for direct examination of these witnesses is estimated to be: one-half hour.

6. Other Matters.

Respectfully submitted,

MICHAEL J. SULLIVAN
UNITED STATES ATTORNEY

By:

Kevin O'Regan
Kevin O'Regan
Assistant U.S. Attorney

Dated: February 2, 2005